

Board of Selectmen
Tuesday, August 11, 2015

A meeting of the Rockport Board of Selectmen was held at 6pm on Tuesday, August 11, 2015 in Conference Room A in Town Hall. Present were four selectpersons; the Town Administrator and the Asst. Town Administrator, Selectperson Sheedy was not present.

6:00 Meeting Called to Order

Executive Session – MGL Ch 30A §21(a)(3) Strategy with Respect to mitigation and Approval of Executive Session Minutes: Executive Session – Pending Litigation: Selectperson Wilkinson moved that the Board of Selectmen enter into Executive Session under MGL Chapter 30A, §21(a) for exemption #3 to discuss strategy with respect to litigation; Selectperson Murphy seconded, Roll Call Vote: Chairperson Battistelli – aye, Selectperson Lucas – aye, Selectperson Murphy – aye, Selectperson Wilkinson – aye, all in favor.

Enter Executive Session re: Strategy w/respect to mitigation and approval of Exec. Session Minutes Motion Approved

Chairperson Battistelli: “We are entering executive session because, by not doing so, it would be detrimental to the Town’s litigating position. The Board will reenter Open Session”

7:00 Pledge of Allegiance and Moment of Silence

Interview of Lori Morrow as a Member of the Rights of Way Committee: Selectperson Murphy nominated Lori Morrow as a member of the Rights of Way Committee for a three year term to expire on June 30, 2018, Selectperson Wilkinson seconded, no vote taken; vote will be on subsequent agenda.

Interview for Rights of Way Committee No vote taken

Approval of Minutes of July 14, 2015: postponed, insufficient voting members present on 7/14/15.

Approval of 7/14/15 minutes Postponed

Approval of Minutes of July 28, 2015: Selectperson Wilkinson moved that the Board of Selectmen approve the minutes of July 28, 2015, Selectperson Murphy seconded, Vote: 3-0; Selectperson Lucas abstained as she was not present on 7/28/15.

Approval of 7/28/15 Minutes Motion Approved

Selectmen Updates and Liaison Reports: Selectperson Wilkinson spoke about the recent fireworks; she said they were great. Selectperson Murphy said there will be an opportunity to meet the new middle school principal on 8/18/15.

Selectmen Updates & Liaison Report

Public Comment Period: Charles Gladstone, said he and a partner purchased a building on Main Street., across from the Art Assoc. He said previously it was the American Express office. They have hired architects and are interested in feedback from the Board of Selectmen. They are scheduled to go before the historic commission in September. The proposed name is the Feather and Wedge. He was inquiring what the future of liquor laws are in Rockport. Selectperson Murphy explained that the petition went to the legislature and it passed the house, it’s now in the senate. It will come back to Rockport, and it must go on the ballot. It was recommended he visit town hall.

Public Comment Period

T. Arsenian, 95 Granite St., spoke on the FTM article regarding the zoning proposal from the Planning Board. He said there was a hearing on zoning held last Thursday; no members of the Board of Selectmen were present. He urged the board to support this article.

Frederick Tarr, Main Street, said he agrees with T. Arsenian. He said he thought the town should bring back the old tree policy. He inquired about the herbicide that had been discussed at a prior

meeting; he asked if there was any new information on that, the Town Administrator said it hasn't been investigated yet.

James Lane spoke about the connector road with Gloucester. He said he would like to see a feasibility study; he questioned the deed restrictions.

T. Mikus spoke on the social media policy; he said he has heard that it may be a one way communication and that various departments may be putting together their own Facebook page. He cautioned that Facebook can change their policies and there is no guarantee that it will be around for a long time.

Town Administrator's Report:

- 1) Employee annual evaluations are underway.
- 2) The office has been preparing for Fall Town Meeting.
- 3) Training on SoftRight is being conducted to better use some of the functions.
- 4) E-mails e-check stubs for employees if they so choose they can get their paystub electronically.
- 5) Town Accountant search is open until 8/21/15.
- 6) IS&T is working to move the town's website forward, they are transferring data over and ensuring its accuracy.
- 7) Comcast contract with Gloucester, Manchester and Essex. There is a meeting this month with Cape Ann TV, there will be one public input forum in each town within the next 6 months.
- 8) Last year was the Park and Ride's best year ever during the fireworks, this year was even better.

Town
Administrator's
Report

7:30 Action List

Action List:

Nominations for
Beautification
Committee
Motion Approved

- Nomination of Jill Marshall, Christine Lovgren and Peggy Coonley to the Beautification Committee: Selectperson Lucas appointed Jill Marshall, Christine Lovgren and Peggy Coonley all as members of the Beautification Committee for one year terms to expire on June 30, 2016, Selectperson Murphy seconded, Vote: 4-0. T. Arsenian said it should be required for applicants to attend a Board of Selectmen meeting; it is not policy if the committee is not statutory.

Appointment to
Rights of Way
Committee
Motion Approved

- Appointment of Tom Mikus for the Rights of Way Committee: Selectperson Murphy moved that the Selectmen appoint Tom Mikus as a member of the Rights of Way Committee for a three year term to expire on June 30, 2018, Selectperson Lucas seconded, Vote: 4-0.

Appointment as
Treasurer/
Collector
Operations
Assistant

- Appointment of Shannon Burke as Treasurer/Collector Operations Assistant: Selectperson Murphy moved that the Board of Selectmen appoint Shannon Burke as the Treasurer/Collector Operations Assistant, Selectperson Lucas seconded, Vote: 4-0.

Resignation of
Animal Inspector
Motion Approved

- Resignation of Elaine Somers as Animal Inspector: Selectperson Wilkinson moved that the Board of Selectman accept the resignation of Elaine Somers as Animal Inspector effectively immediately, Selectperson Murphy seconded, Vote: 4-0. The Town Administrator explained that this position reports up to the Board of Health, they inspect barns; they take annual census of animals. The Animal control officer is more about animal issues, locating them, keeping them licensed and following rules for pets.

- Acceptance of Gift of a Vehicle for the Police Department: Selectperson Lucas moved that the Selectman accept a gift of a 1992 Ford Explorer from Dr. Donald Dawson of 87 Marmion Way to be used by the Police Department for operational purposes, Selectperson Murphy seconded, Vote: 4-0.

Acceptance of
Gift of Vehicle
for Police Dept.
Motion Approved

- Workforce Innovation and Opportunity Act Memorandum of Agreement: Selectperson Lucas moved that the Board vote to enter into a Workforce Innovation and Opportunity Act agreement with municipalities on the North Shore to form a partnership that will support workforce development efforts, and to ask the Chairperson to sign the Chief Elected Official Memorandum of Agreement to that effect, Selectperson Murphy seconded, Vote: 4-0.

Workforce
Innovation &
Opportunity Act
Memorandum of
Agreement
Motion Approved

- Special Sign Permit for GGG Main Street, LLC: Selectperson Murphy moved that the Board of Selectmen approve a special sign permit for GGG Main Street, LLC at 124 Main Street, Selectperson Lucas seconded, Vote: 4-0.

Special Sign
Permit for GGG
Main Street
Motion Approved

- Special Sign Permit for Revolve Consignment Boutique: Selectperson Wilkinson moved that the Board of Selectmen approve a special sign permit for Revolve Consignment Boutique at 11 Tuna Wharf, Selectperson Lucas seconded, Vote: 4-0.

Special Sign
Permit for
Revolve
Consignment
Boutique
Motion Approved

- Letters of Support of Paint Stewardship Legislation: Selectperson Lucas moved that the Board of Selectmen sign letters to Senator Tarr and Representative Ferrante in support of Senate Bill 408, an act establishing the Massachusetts Paint Stewardship Program, Selectperson Murphy seconded, Vote: 4-0. S. Kishida, 34 Marmion Way, said she works for the state, but is here as a private citizen of Rockport. She said this is to impose an advance recovery fee on paint that is purchased, both latex and oil based, so it would be recovered conveniently. T. Arsenian, 95 Granite St., said this is an excellent move, however we still need hazardous waste pick-up.

Letters of
Support of Paint
Stewardship
Legislation
Motion Approved

- Updated Acceptable Use Policy: Selectperson Murphy moved that the Board of Selectmen approve and adopt the Updated Acceptable Use Policy regulating the use of Town computer systems and communications equipment dated August 11, 2015, Selectperson Lucas seconded, Vote: 4-0.

Updated
Acceptable Use
Policy
Motion Approved

- Social Media Policy: Selectperson Murphy moved that the Board of Selectmen approve and adopt the new Social Media Policy dated August 11, 2015, Selectperson Murphy seconded, Vote: 4-0. T. Arsenian, spoke about the approved web policy and public records. He inquired if the material going on these websites will be available in print form. The Asst. Town Administrator said the information on Facebook will not be duplicated in print but there are other avenues to receive the information.

Social Media
Policy
Motion Approved

- Entertainment License Regulations Revision: Selectperson Murphy moved that the Board of Selectmen vote to revise the 2002 Entertainment License Regulations by changing the stop time to 10:00 pm, Selectperson Lucas seconded, Vote: 4-0. Currently outdoor entertainment can go until 9pm. My Place by the Sea, 68 Bearskin Neck, would like to see it go later, maybe 10 or 11pm. Currently, indoor entertainment is permissible until midnight. T. Arsenian said he has complained to the police in the past, because the music he has heard has gone a great deal later than 9pm; he didn't appreciate being kept awake. Those who don't want to listen shouldn't have to. Stephanie Woolf asked if this revision to the license would apply across the town. It was explained that if a change is made it would be available for all licenses. The manager of the Rockport Inn & Suites was present and said feedback from those staying with him is very positive about the music at My Place by the Sea. Bruce Feldman and Cathy Milbury said they are in favor of it.

Entertainment
License
Regulations
Revision
Motion Approved

Vote on Fall Town
Meeting Articles
Motion Approved

- Vote on FTM Articles: Selectperson Lucas moved that the Board of Selectmen vote to place Articles A through Q on the Fall Town Meeting Warrant, Selectperson Wilkinson seconded, Vote: 4-0. The Town Administrator said the Conservation Commission pulled their request. The old Article "Q" has been eliminated. L. Sanders said Articles C, D, & E are standard community preservation articles, Article F is a Community Preservation Article, Article G is a transfer from the parking meter fund to parking meter maintenance. Article H is changing the name of the previous borrowed article for the school to carpeting replacement, Articles I, J, K, L, are repairs to the harbormaster facility and public restroom. Article J is for \$20,000 for the library building repairs, Article K is \$67,000 to purchase a sidewalk tractor, Article L is for sanding and a plow truck, Article M is a transfer of \$10,000 from the DPW to fix the library floor to DPW ventilation improvements in the DPW barn, Article N is a transfer from I&I to sewer line and repairs of \$75,000, Article O is the CIPC/DPW \$70,000, \$150,000 for the Back Beach revetment, Article P is to authorize a grant easement for the MBTA to construct their electric conduits.

Approve & Sign
Fall Town Meeting
Warrant Masters
Motion Approved

- Approve & Sign FTM Warrant Masters: Selectperson Murphy moved that the Board of Selectmen approve the body of the September 14, 2015 Fall Town Meeting Warrant and vote to sign the masters, Selectperson Wilkinson seconded, Vote: 4-0.

9:00 Selectmen Briefing

Graffiti Committee: Mary Devaney provided an update. She said everything hadn't been accomplished by Memorial Day as planned, but they've made great progress. The MBTA painted buildings and moved storage units; the Sheriff's office has been great. She said the Police Chief has been on board. She said we need to get into the schools to promote pride in our communities.

Selectmen
Briefing
Graffiti
Committee

8:45 Discussion Items

- Workshop Meeting Dates - postponed
- 175th Anniversary of Rockport: Selectperson Murphy has been trying to contact Sarah Kelly and he has been speaking with Rob Trumbour to see if he can provide something.

Discussion
Items:

Other Business/
Announcements

Other Business/Announcements: Selectperson Wilkinson spoke about the Navy cookout. She said they borrowed a huge grill from Gloucester. She said it might be nice to do an end of the summer appreciation cookout, to thank the DPW and police, etc. Maybe try to plan something in September after Labor Day and not in the way of Fall Town Meeting.

9:40 Selectperson Murphy moved to adjourn, Selectperson Wilkinson seconded, Vote: 4-0.

Warrant Signed:

Warrant signed for the Fiscal Year 2015 Payroll and Expenses for the week of August 13, 2015 in the amounts of \$132,134.23 and \$1,261,866.66 respectively.

Items signed:

Warrant for Fall Town Meeting

Michaela Hillier, Street Performer's License

Dick Lourie, Street Performer's License

Letter to Sen. Tarr, support for S.408, an act establishing the Mass. Paint Stewardship Program

Letter to Rep. Ferrante, support for S.408, an act establishing the Mass. Paint Stewardship Program